

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF TEACHERS**

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

MARCO JONATHAN MAJEROVICH, OCT

NOTICE OF HEARING

THE INVESTIGATION COMMITTEE OF THE ONTARIO COLLEGE OF TEACHERS, pursuant to section 26, subsection (5) of the *Ontario College of Teachers Act, 1996* (the "*Act*"), Statutes of Ontario, 1996, chapter 12, has directed that the matter hereinafter described regarding the conduct or actions of Marco Jonathan Majerovich, Certificate No. 564779, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Marco Jonathan Majerovich is guilty of professional misconduct as defined in the *Act* in that:

- (a) he abused a student or students, physically, contrary to Ontario Regulation 437/97, subsection 1(7.1);
- (b) he abused a student or students psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7.2);

- (c) he abused a student or students sexually, contrary to Ontario Regulation 497/97, subsection 1(7.3) and/or engaged in sexual abuse of a student or students as defined in section 1 of the *Act*;
- (d) he engaged in sexual misconduct as defined in section 1 of the *Act*;
- (e) he committed acts that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18);
- (f) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Marco Jonathan Majerovich (the “Member”) is a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the Hamilton-Wentworth Catholic District School Board (the “Board”) as an occasional teacher.
3. At all material times, Person A was a female Teacher Candidate at [XXX] Catholic Secondary School (“[XXX]”).
4. At all material times, the student was a Grade [XXX] female student (the “Student”) in the Member’s [XXX] and [XXX] classes at [XXX] Catholic Secondary School (“[XXX]”). The Student graduated from [XXX] in June 2022.
5. On or about March 25, 2021, while on assignment at [XXX], the Member:
 - (a) did not appropriately engage with the students in the class;
 - (b) sat at the teacher’s desk with his eyes closed and/or wearing headphones in both ears; and/or with his head leaning against a wall;

- (c) made comments to Person A to the effect of:
 - (i) “I’m really hung over; I might still be drunk”;
 - (ii) that he either needed greasy food and/or to go to the LCBO;
 - (iii) called Person A “sweetie” and/or “bubbly”;
 - (iv) referred to his ex-girlfriends;
 - (v) said to Person A, “oh you’re skinny Miss, you’ll fit,” when she asked the Member to move over so that she could access a computer.

- 6. On or about March 25, 2021, during a meeting with the Principal and Vice-Principal of [XXX], the Member:
 - (a) became irate and/or used profane language towards them;
 - (b) stated to the Principal and/or Vice-Principal that they were trying to ruin his career;
 - (c) asked for Person A’s name because he wanted to “call her teacher’s college and ruin her career the way she [was] ruining his.”

- 7. During the 2021-2022 academic year, the Member engaged in a personal and/or sexual relationship with the Student, in that he:
 - (a) discussed the Student’s personal life;
 - (b) met the Student at a plaza close to [XXX];
 - (c) drove the Student to court to challenge a speeding ticket;

- (d) during the drive, touched the Student's thigh;
 - (e) took the Student to a restaurant;
 - (f) told the Student that he liked her;
 - (g) asked the Student if he could kiss her;
 - (h) kissed the Student, even though the Student said "no";
 - (i) told the Student that he had offered to take her to court so that he could be alone with her;
 - (j) texted the Student;
 - (k) held the Student against the chalkboard in a classroom and/or kissed her;
 - (l) told the Student that he had a personal and/or romantic relationship with another female student approximately five years earlier;
 - (m) showed the Student where the student with whom he had a relationship lived.
8. In or about the summer of 2022, the Member engaged in a personal and/or romantic and/or sexual relationship with the Student.
9. On or about August 19, 2022, the Member laid his head on the Student's buttocks and/or thigh area.
10. On or about August 20, 2022, the Member took a photograph with the Student while she was wearing only a bra and/or underwear and/or while she was straddled to the Member who was naked from the waist up.

11. The Member's employment with the Board was terminated effective September 26, 2023.

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING pursuant to sections 30, 30.2, 32 and 32.1 of the *Act* to decide whether the allegations are true and whether Marco Jonathan Majerovich is guilty of professional misconduct. A copy of the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee* (the "*Rules of Procedure*") will be provided upon request and is also available on the College's website.

THE DISCIPLINE COMMITTEE WILL HEAR THIS MATTER on a date to be determined after consultation between College Counsel and you or your counsel and fixed by the Tribunals' Office.

YOU ARE ENTITLED TO BE PRESENT AT THE HEARING AND TO BE REPRESENTED BY LEGAL COUNSEL. The hearing will be held electronically using audio or video conferencing equipment, pursuant to the *Rules of Procedure* and the *Statutory Powers Procedure Act*, R.S.O. 1990, c.S.22 (the "*SPPA*").

IF YOU DO NOT ATTEND ON THE SCHEDULED HEARING DATE, THE DISCIPLINE COMMITTEE MAY PROCEED WITH THE HEARING IN YOUR ABSENCE AND YOU WILL NOT BE PROVIDED WITH ANY FURTHER NOTICE OF PROCEEDINGS.

IF YOU BELIEVE THAT AN ELECTRONIC HEARING OR ELECTRONIC SET DATE HEARING IS LIKELY TO CAUSE YOU SIGNIFICANT PREJUDICE, you must notify the

Tribunals' Office at 101 Bloor Street West, Toronto, Ontario, M5S 0A1. The Discipline Committee will then determine whether the hearing will proceed in person, electronically, in writing, or by a combination of these formats.

IF A DATE FOR THE HEARING AND/OR THE FORMAT OF THE HEARING ARE NOT AGREED UPON, THE DISCIPLINE COMMITTEE WILL CONVENE TO DEAL WITH THE PROCEDURAL MATTER OF SETTING A DATE AND/OR ESTABLISHING THE FORMAT FOR THE HEARING. The procedural hearing will be held electronically using audio or video conferencing equipment, pursuant to the *Rules of Procedure* and the *SPPA*.

YOU ARE ENTITLED TO BE PRESENT WHEN THE COMMITTEE CONVENES TO SET A DATE AND/OR FORMAT FOR THE HEARING AND TO BE REPRESENTED BY LEGAL COUNSEL. IF YOU DO NOT ATTEND BEFORE THE COMMITTEE TO SET A DATE AND/OR FORMAT FOR THE HEARING, THE DISCIPLINE COMMITTEE MAY PROCEED IN YOUR ABSENCE TO SET THE DATE AND/OR FORMAT. NOTICE OF THE HEARING DATE AND/OR FORMAT SET BY THE COMMITTEE WILL BE PROVIDED TO YOU IN WRITING AT YOUR LAST KNOWN EMAIL ADDRESS AS SHOWN IN THE RECORDS OF THE COLLEGE.

IF THE DISCIPLINE COMMITTEE FINDS YOU GUILTY of professional misconduct, you are liable to the penalties set out in sections 30 and 30.2 of the *Act*.

A MEMBER whose conduct is being investigated in proceedings before the Discipline Committee may examine before the hearing any written or documentary evidence that will be produced or any report, the contents of which will be given as evidence at the

hearing. You or your representative may contact the office of Caroline Zayid of McCarthy Tétrault LLP, College Counsel in this matter, at Suite 5300, Toronto Dominion Bank Tower, Toronto, ON M5K 1E6, telephone 416-601-7768.

Date: December 9, 2024

Registrar's Signature

Linda Lacroix, OCT, M.Ed.
Registrar and Chief Executive Officer
Ontario College of Teachers
101 Bloor Street West
Toronto, ON M5S 0A1

TO: Marco Jonathan Majerovich
[XXX]
[XXX]

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